

### REMARKS

This paper is filed in response to the Office Action of July 2, 2008. The Office is thanked for withdrawing the rejections of the prior office action, and for reviewing the past information disclosure statements filed in this case. In particular, the Applicants thank the Office for reconsidering Mertens et al. (6,398,975), which was previously considered by the Office on March 23, 2007.

Mertens et al. is concerned with applying liquids to the surface with a few example systems. The Office points to Figures 5a and 5b, each of which define a structure of circular tubes. The circular tubes allow for the flow of fluids at a circular spot on a substrate. To maintain the cleaning at the identified spot, Mertens teaches the use of O-RINGS. The O-RINGS are specifically designed to allow the circular rings to contact the surface of the substrate. The Office points to item 53 as being a channel (see page 3 of the Office Action, dated July 2, 2008). To the contrary, item 53 is the O-RING. As leaking is a problem for Mertens, several example O-RINGS are shown, such as 63 as well as 65. To provide more clarity to the claims, amendments have been presented to define the proximity heads in a non-contact orientation relative to the substrate. It is submitted that this configuration and structure is contrary to the explicit teachings of Mertens. The Examiner is respectfully requested to reconsider in view of these amendments. No new matter was added by this amendment.

The Office also points to the "gaseous substance" (Col. 9, lines 63-65), as teaching the chamber and the environment generator. The teachings of Mertens falls short of teaching any type of chamber or environmental generator that produces an environmental control gas that is communication with the chamber through a conduit. Additionally, Mertens does not teach structure, such as a chamber, that maintains the environmental control gas in and around the proximity head that is housed by the chamber. To the contrary, Mertens teaches to apply the gaseous substance to prevent leakage, in case the O-RINGS do not work.

The Office points to two heads of Mertens, such as Figure 1b, to teach the configuration of a top and bottom proximity head. This configuration is for cleaning an edge of a wafer. The heads in this configuration simply do not define or suggest the elements defined in the independent claims. As a basic proposition and by the act of physics, fluid applied in such a manner will spill of the edge and would not be contained between the heads. Mertens appreciates this issue, and for this reason, Mertens adds a gas via tubes 3 and 9, to avoid the fluid from landing over the surface of the substrate. And, interestingly, Mertens operates all

structures in an open environment. Clearly, these operations will be conducted in "clean room" environment, however, a clean room is not a chamber.

The configuration taught by Mertens, in fact, uses a spin apparatus. As is well known, spin tools are made in many configurations, and many configurations are open top. Open top spin tools are needed to allow access by dispensing heads, robot arms, etc. As a result, there is no inherent requirement for the spin tool to be in a closed chamber. Further yet, as is known, clean rooms are generally kept in a state of low air flow. If air were to be flown into the clean room, to achieve a controlled environment, particle flow and generation would result--a condition that would not be acceptable in any circumstance. Consequently, the official notice taken by the Office, that the clean room is a chamber or that the clean room defines the structure of the claimed invention is respectfully traversed.

In view of the foregoing, the Applicants respectfully request the Office to withdraw the Section 103 rejections of claims 13, 20, 33 and 35. The Applicants separately traverse the rejection of independent claim 20, as no structure was shown, taught, nor suggested by the art of record.

In view of the foregoing, the Applicants respectfully request reconsideration and submit that the claims are allowable over the rejection presented by the Office.

In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 774-6903**. If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. LAM2P467).

Respectfully Submitted,  
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